

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kononen et al.

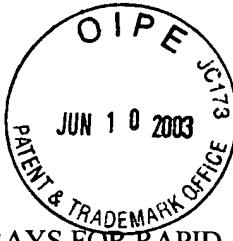
Application No. 09/622,686

Filed: October 12, 2000

For: TUMOR TISSUE MICROARRAYS FOR RAPID
MOLECULAR PROFILING

Examiner: Betty J. Forman

Date: June 5, 2003



Art Unit: 1634

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on June 5, 2003, as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.


 Wayne W. Rupert
 Attorney for Applicant
TRANSMITTAL LETTER

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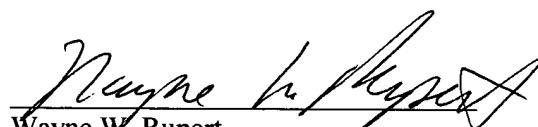
Enclosed for filing in the application referenced above are the following:

- Fourth Supplemental Information Disclosure Statement
 - Form PTO-1449 and references cited thereon
 - IDS Fee of \$180.00
- A check in the amount of \$180.00 to cover the above-listed fees
- The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


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Wayne W. Rupert
Wayne W. Rupert
Attorney for Applicant

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97(c)

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language and/or non-English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent. This Information Disclosure Statement is being mailed before Applicants received a final action, a notice of allowance, or an action that otherwise closes prosecution in the referenced application.

Applicants also wish to bring to the U.S. Patent and Trademark Office's attention a recent statement made by Juha Kononen, who is listed as a co-inventor in the present application. Dr. Kononen sent a letter dated March 28, 2003, to Cristina Thalhammer-Reyero, an employee at the Office of Technology Transfer of the National Institutes of Health ("NIH") of the U.S. Department of Health and Human Services, which is an assignee of the present application. In the March 28th letter Dr. Kononen states that "U.S. Patent Application Publication No. US 002/0192702 does not appear to discuss an apparatus for preparing specimen arrays which uses a removable bridge to place the donor block under the punch. While at the NIH, I considered such a bridge to be the best way to hold a donor block in the apparatus for preparing tissue arrays."

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U.S. Patent Application Publication No. 2002/0192702 is a publication of a pending application (Serial No. 10/215,762) also directed to tissue microarrays and also listing Dr. Kononen as co-inventor. U.S. Patent Application Serial No. 10/215,762 is a divisional application of the present application.

For purposes of placing Dr. Kononen's statement in context, we note that Dr. Kononen is no longer employed at the NIH. In addition, it is Ms. Thalhammer-Reyero's understanding that Dr. Kononen is a principal and/or employee of a company that is developing products in the technology area of the present application.

Applicants also wish to bring to the U.S. Patent and Trademark Office's attention the following co-pending application (a copy of which is enclosed along with a copy of the filing receipt):

U.S. Patent Application Serial No. 10/149,520 to Kallioniemi et al.
(filed April 14,2003)

The filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in Rule 56.

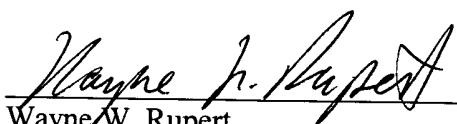
Submitted herewith is a check for \$180.00 as required by 37 C.F.R. § 1.17(p) for filing this Information Disclosure Statement in compliance with 1.97(c).

Please charge any additional fees which may be required in connection with filing this Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

| | |
|-------------------------------|------------------|
| Attorney Docket Number | 4239-55593 |
| Application Number | 09/622,686 |
| Filing Date | October 12, 2000 |
| First Named Inventor | Kononen et al. |
| Art Unit | 1634 |
| Examiner Name | Betty J. Forman |

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|------------------------|---------------------|
| EXAMINER SIGNATURE: | DATE CONSIDERED: |
|------------------------|---------------------|

* Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.